THE NEW REPUBLIC

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Military Embargo of Cuba?

Jack Raymond

Picasso—20th Century Masque

Robert Woods Kennedy

What the Founders Believed

Alexander M. Bickel

Money in Politics

James MacGregor Burns

July 18, 1960, 25 cents

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T.R.B. *from Washington*

The Dream Is Over

★ The first reaction is simple disbelief. Look down on the Convention Hall and ask yourself how 1,500 delegates and as many alternates, in 96 hours, under these conditions of clamor and confusion, can pick a candidate, any candidate. Aggravatingly enough, the system works. The answer is, of course, that while the machinery is preposterous it is less preposterous than it seems.

This convention is not a matter of four or five days. It began a year, no, a dozen years ago, and it has been working up to this particular climax through the lives of various people in ways that have revealed their character fairly well.

The result is not decided as this is written. But whether it is Kennedy or not, the sequel will be lively. Do not suppose the religious issue is settled; it is here deep enough, one way or another – of umbraged Catholics if Kennedy fails, of baleful Calvinists if he wins. En route to Los Angeles, the Dallas paper told us how the Rev. W. A. Criswell, pastor of the First Baptist Church, had just warned his flock that the "election of a Catholic President will end religious liberty in America."

Perhaps this kind of thing will decide the election. Somehow we think not. We have a hunch America is ready for one of its periodic advances – for a great lunge forward that, one way or another, will fill the 60's.

Whoever wins this election the dream will be over; whoever wins, Eisenhower will be out. The old generation of leaders is passing. Rhee and Eisenhower, Adenauer and Khrushchev – a new batch of younger men is moving up. America next year, one way or another, will probably replace the oldest man in Presidential history with a man in his 40's. Two-party government will be restored. The dormant press will snarl and snap if it is a Democrat. The dormant Democrats in Congress will snarl and snap if it is Nixon. We shall have argument again.

The Face Is the Same

★ And high time too. With the same queer emotions we always feel, we watched Eisenhower, July 6, conduct his last press conference before the conventions – his first in two months. A well-meaning man, attractive in various ways, mellow, genial, relaxed, speaking whimsically of his advancing age, of his place in history, of the various problems of the world. For the world, mark you, has problems; they are just not problems for which he feels any personal responsibility, or urgency of solution. The Summit collapse, the U-2 flight, the mobs in Japan? Untoward events will occur, after all. In the eight weeks since he last saw the press, the face of history had changed, but his face had remained the same.

Recession at home? He waved the notion amiably away. To be sure, steel production is down to 50 percent (in Russia the furnaces blaze all night), but remember the big increase in US plant capacity. Look at the bright side, said President Pangloss: 50 percent output from America's larger steel capacity today is equivalent to 75 percent from the capacity of a few years ago. And 75 percent is a good figure.

We have a feeling that the public is getting tired of this sort of thing; they love Ike, always will, but want a change. And any successor – yes, Nixon included – will change things fast.

Looking Ahead

★ Abroad our system of peripheral bases is wearing thin, out-dated by long-range missiles and nuclear warheads. Our Asian policy is antiquated, somehow or other we must acknowledge that Red China exists. Paradoxically the trouble in Cuba could teach us a lesson. We are shocked at the notion of a Communist base right at our doorstep. But cannot we imagine feelings in Peking with a hostile island off their shores, so close as to be within gunshot? Shrewd observers think China will have atom bombs in two or three years. Have we any plan for that?

And at home the next President simply must act fast. Eisenhower has blundered us into two recessions in seven years, and we shall be lucky if he does not leave us with a third for 1961. (A challenging new pamphlet on this, "Tight Money and Rising Interest Rates," by Leon Keyserling, can be obtained for 50 cents from the Conference on Economic Progress, 1001 Connecticut Avenue, Washington 6, D. C.) With an economy twice as big as the Soviets', our growth rate is only half as large; they are turning out more doctors, more teachers, more engineers than we are producing, and they are spending as much as we on defense and heavy industries.

We have a far bigger over-all economy, but our untrammeled free enterprise turns half of it into gadgets, tailfins and cosmetics.

The Third Convention

★ The nation is going to have three conventions this year – the third when the rump session of Congress assembles next month. This could very well be a Democratic fiasco. It is hard to visualize what will happen. When Truman summoned the Republican Congress back in 1948 the initiative was his; but here the full burden falls on the Democrats, with big majorities in both houses and a mandate from a convention which has pledged all sorts of noble things on precisely the bills that are pending. This time, too, the excited nation will be watching. The four big issues are schools, housing, minimum wage and medical care for the aged. The House Rules Committee bears much of the responsibility for blocking legislative traffic on these and other key measures for the last two years. Speaker Rayburn will put on real pressure to force the conservative coalition that controls the Committee to move on the stalled bills. If they don't, House liberals will demand a change in the rules next January. Imagination boggles at the prospect – will an affronted South combine again with the Republicans; how will Lyndon treat Jack; what role will Nixon play? This should be a vastly more entertaining show than the Republican Convention at Chicago.

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Staying Power

"Could we survive four years under the vapid leadership of a Kennedy or a Stevenson," *The National Review* has asked? It is altogether probable that we could. But what of more distant prospects for survival? Dr. Brock Chisholm, former director of the World Health Organization, in an address before the National Conference on Social Work recently said that man's survival in the nuclear age seems to him the more doubtful because there is no "tradition" that can tell us how to adapt to the radically new circumstances of the atomic age. Man, as Dr. Chisholm sees him, is stumbling about this unfamiliar and awesome landscape like the first explorer of an unknown planet.

One might have thought that 80 million years of experience would have given the dinosaur some clue to what it would take to overcome the fierce and sly little rascals with the relatively oversized brains who stole and ate his eggs, and who survived as our ancestors. But the imaginative effort was beyond the beast. The Taylor's bison, the mammoth and the horse all inhabited North America for many thousand pre-glacial years; all were swept away whether by the glacial climate, dust-storms following the receding glaciers, or epidemic, no one knows. We only know they were defeated by drastic environmental changes which they could not avert or to which they could not adjust.

Now man, a relative newcomer to the planet, by prying loose "the secret of the atom" has done something wholly original. In little more than a decade he has stored away enough nuclear explosive to kill most of his kind, and not only stored it away. Soviet man can pack some of that poisonous explosive into a rocket and deliver it near a target 8,078 miles away; American man can shoot it even farther. The sky is no longer the limit.

In experimenting with the potentialities of this incomparable force, nations have set in motion changes in mankind's environment possibly as profound as those which preceded the death of earlier forms of life. And however great or small the effort may be, it is inimical.

The opening of the brave new world's history was of course signalized by the release of fallout into the planet's atmosphere through the testing of huge bombs designed to kill millions of people at a stroke. More by luck than foresight we have come through that experience only slightly scarred, and only slightly scared; for the time being at least, fallout is subsiding.

Chapter two is the reckless accumulation of fatally-poisonous and semi-permanent wastes that are beginning to mount up in the thou-

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sands of tons. We look futilely for safe places to bury the wastes – futilely because it is beginning to be apparent that there is no secure hiding place in the planet's crust or in the sea; or anywhere else from which they may not creep back to poison our environment, save perhaps in the Antarctic ice-cap.

Chapter three records the feverish haste with which the technically advanced communities set out to exploit this new source of power without long and hard thought to the effects of the enterprise, to the adaptions of social behavior it might require, or to whether safety does not lie in proceeding more slowly. Almost on the day of Dr. Chisholm's address, a US Court of Appeals in Washington said that an $80 million nuclear power station in a densely populated area of Michigan, approved by the Atomic Energy Commission and well toward completion, was licensed without sufficient regard for the safety of 2 million people living in a 30-mile radius. But neither the Commission nor the court acted in the light of proofs from the past, for the past had no testimony to offer in this case. Not even the most prescient know what is safe or what – four or 400 years hence – will prove fatal.

Cabinetmaking

As we go to press, the delegates in Los Angeles are about to spoil the diverting "Pick the Candidate" parlor game everyone has been playing by doing it themselves. But until a new President has been elected and the realities of power politics take command, there is still the game of cabinetmaking which all can play. Let us therefore begin to speculate about who in a Panglossian world might grace the oval table in the Cabinet room in a Democratic Administration.

Secretary of State: Adlai Stevenson or Chester Bowles.
Secretary of Defense: Paul Nitze or Thomas K. Finletter.
Secretary of the Treasury: Sen. Albert Gore of Tennessee.
Secretary of Agriculture: Governor Orville Freeman of Minnesota or Governor Gaylord Nelson of Wisconsin.
Secretary of the Interior: Governor Munoz Marin of Puerto Rico.
Attorney-General: Governor Leroy Collins of Florida.
Secretary of Health, Education and Welfare: Governor Mennen Williams or Governor Nelson Rockefeller.
Secretary of Commerce: James Mitchell.
Postmaster-General: Edward Shelley.
Secretary of Labor: Arthur Goldberg.

The exceptional virtues of Stevenson and Bowles are too well known – and have been too often stated in these pages to require repetition.

Mr. Nitze or Mr. Finletter would bring a detailed knowledge of modern defense technology tempered by a broad knowledge of the fundamentals of foreign policy. Each is well informed and decisive.

Senator Gore is outstanding among those legislators who have made themselves expert in fiscal matters. He would gear Treasury policy to the economic needs and capacities of the country.

As Secretary of Agriculture, Orville Freeman or Gaylord Nelson would have not only a personal and compassionate concern for the farmer but the energy and courage to face the fallacies in present farm policies, demand more sensible answers to the surplus absurdities, choose among alternative courses and fight for that choice before Congress.

Munoz Marin, in the years he was preparing himself to lead the Puerto Rican commonwealth state, studied continental US resources as few others have done. His energy and enthusiasm for realizing opportunities to the full could make him an Interior Secretary in the class of Harold Ickes.

Leroy Collins has shown himself to be an uncommon Southerner. As a lawyer of superior competence, he would bring both tact and a personal commitment to a major task of the next Attorney-General – effective enforcement of the civil rights laws.

Mennen Williams, in his own five terms as Governor of Michigan and most impressively as a leading figure in the last White House Conference on Education, is a proved and passionate advocate of adequate health and welfare services. Few would doubt that he has the courage to take on the AMA or any other fierce adversary. Likewise, Rockefeller has had a long-standing appreciation of the nation's welfare needs, previous experience in the Department and would have some added appeal to Republicans in the Congress.

James Mitchell, as the underdog Labor Secretary in the Eisenhower Cabinet and through his earlier experience in industry, is well acquainted with what a Secretary of Commerce could do positively and has recently done negatively in hampering the work of the Department of Labor.

How the legend ever developed that it took a politician to deliver the mail is hard to discover. But there can be little argument that the job now calls for a demon among automation experts – one who can modernize the delivery system faster than the IBM machines can increase the flow of written communication. Why not someone like Ed Shelley of US Industries, Robotdyne, who developed the transfer robot and much of our new automatic mailing machinery?

Arthur Goldberg, general counsel for the United Steel Workers and an expert in labor law, combines

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sympathy and understanding of trade union objectives with the independence of mind and good judgment to resolve problems in the national interest.

Running from Benson

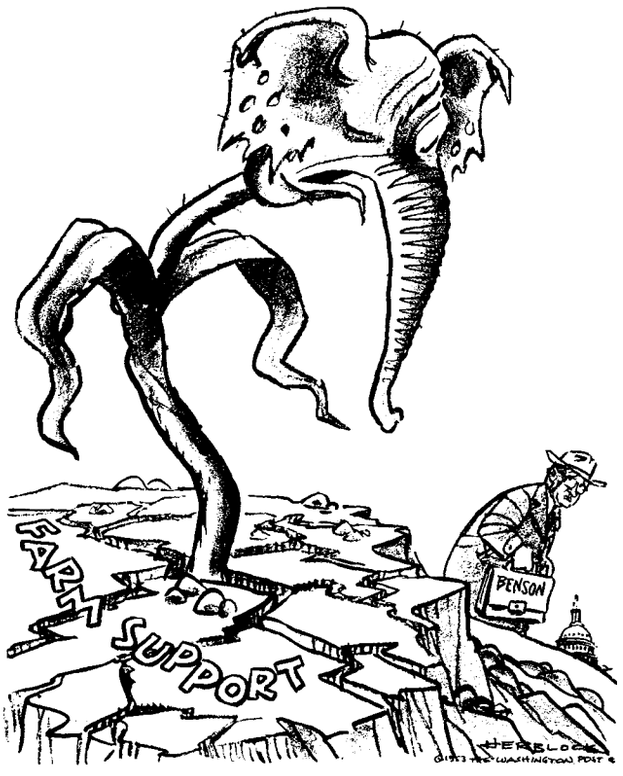
No longer is there doubt. Midwestern and Western farmers resemble so many Madame LaFarges, tending to their knitting but waiting in cold anticipation for a certain head to drop. If it doesn't drop soon the Republican minority of 35 in the Senate may be even slimmer when the Congress convenes next January.

The head the farmers are waiting to see roll is, of course, that of Secretary of Agriculture Ezra Benson, who has come to typify to them everything they don't like about the general drift of agricultural affairs – mounting surpluses, the dwindling family income, and the higher prices of things farmers must buy. Their enmity is probably unfair, but then Mr. Benson has damaged himself more by his air of self-righteousness and his continued intimations that any dissidents from his farm proposals are either dopes or Democrats or both than by actual policies he has advocated.

But the power of their enmity has been seen in North Dakota's recent election of a Democratic US Senator, Quentin Burdick, for only the second time in the state's history by popular vote. (There have been three other Democratic Senators, but two were appointed, and one was named by the state legislature.)

For a state virtually as Republican by tradition as Vermont to go Democratic even by a slight margin indicates that other regional Republican heads are not safe, and the Republicans were sufficiently aware of that danger so that both the Heir Apparent, and the Pretender, Prince Nelson, campaigned in North Dakota. Both were greeted by cheering throngs, according to *Time* magazine; but many who cheered must have gone home and voted for the Democrat.

An unusual number of powerful, veteran and conservative Republican Senators from the Midwest and Far West are up for reelection this year, and where normally the Republicans would stand to gain by the age-enforced retirement of such Democratic monuments as Sens. James E. Murray of Montana and Joseph C. O'Mahoney of Wyoming, they have no such assurance now. One Republican stalwart has already decided to call it a day – Sen. Thomas E. Martin of Iowa, who to be reelected would have to face the politically-potent Gov. Herschel C. Loveless. In South Dakota Sen. Karl E. Mundt will be battling the young and popular Rep. George McGovern. In Colorado Sen. Gordon Allott confronts a formidable foe in the person of Lt. Gov. Robert Knous. In Montana, following Sen. James E. Murray's retirement, the respected leader of the younger House liberals, Rep. Lee Metcalf, is expected to hold Murray's seat for the Democrats.



"You Sure About This Soil Conservation Program?"

In Wyoming, the Democrats will probably put up the popular State Superintendent of Public Instruction, Velma Linford, as their Senatorial nominee. She would confront former Sen. Frank Barrett, who was beaten in 1958 by the then-44-year-old Gale McGee. After taking a consolation job as counsel of the Department of Agriculture, Mr. Barrett shook Mr. Benson's dust from his soles last February to come home and campaign for the Senate, apparently hoping the farmers might, in a fit of absentmindedness, return him to Washington.

Lippmann on Television

"The sheep look up and are not fed," but Howard K. Smith's hour-long interview with Walter Lippmann over CBS last week was food for many whose hunger has been unappeased by the pablum offered hour after hour by the networks and disguised as entertainment. Mr. Smith discreetly fed the questions; Mr. Lippmann lucidly and thoughtfully answered them. That was all there was. But the viewer sensed what television-in-the-public-interest could be, and how this powerful and exciting medium could be used to explain; and to do it boldly and unpretentiously, without the pomposities of "showmanship."

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The Silver Platter

One of the opinions handed down by the Supreme Court at the close of what on the whole was a relatively uneventful judicial term is of more than routine interest. By a five-to-four margin the Court overthrew the so-called "silver platter" doctrine which had been a standard canon of federal criminal procedure.

The Fourth Amendment guarantees the "right of the people to be secure in their persons, houses, papers and effects against unreasonable searches and seizures . . .," and in 1914 the Supreme Court held that incriminating matter secured by *federal* agents through an "unreasonable search and seizure" is not admissible as evidence in a federal criminal trial. This holding was a departure from the common law doctrine that probative evidence is admissible no matter what its origin. At the same time, however, the 1914 Court announced that evidence secured through an unreasonable search by *state* agents *can* be admitted in a federal criminal trial, provided that federal agents have not participated in or instigated the state search but have merely received the fruits of the state search on a "silver platter."

The legal ground for the distinction was that state agents are not bound by the Fourth Amendment, which speaks only to federal action, but only by the Fourteenth Amendment's far more generalized guarantee of "due process of law." The practical importance of the distinction was considerable, since state officials not infrequently run across evidence of federal offenses. However, in view of the close and fruitful cooperation between federal and state law enforcement officials in areas of common interest – narcotics, prostitution, auto thefts, large-scale burglaries and the like – the suspicion persists that in many instances federal complicity in unreasonable state searches is substantial.

Moreover, intervening shifts in constitutional doctrine have helped to tarnish the "silver platter." In 1949, the Supreme Court, reviewing a state court conviction based on the admission of evidence seized by state officials acting without an arrest or search warrant, acknowledged that unreasonable searches by state officials were infringements of the Fourteenth Amendment's "due process" clause. The Court, in an opinion by Justice Frankfurter, nevertheless concluded – by a margin of six to three – that states were not required to redress such infringements by excluding the evidence thus obtained from their own criminal trials. Meanwhile, more and more states – now approximately half – have adopted the federal exclusionary rule.

That is where the matter stood when the "silver platter" issue returned to the Court at the current term. To continue to admit evidence gained by state agents which would have been excluded if obtained in like manner by federal agents – particularly where the state agents' action is now stamped "unconstitutional" by virtue of the Court's 1949 opinion – was more of an anachronism than the present Court could swallow. This was especially so because the Court recently reversed a federal criminal conviction where state officials, through wire tapping, secured evidence in contravention *not* of the Constitution but merely of a federal statute. Accordingly, Justice Stewart, joined by the Chief Justice and Justices Black, Douglas and Brennan, went off the "silver platter" standard. Henceforth, unconstitutional searches by federal or state officials will vitiate a federal trial.

It is possible that the decision foreshadows a new look at the admissibility of unconstitutionally seized evidence in *state* criminal trials, in those states which have not yet adopted a rule barring the use of evidence gathered by "unreasonable searches and seizures." To continue to sustain state convictions while reversing comparable federal convictions is not easy to justify. "For surely," as Justice Stewart wrote in the present case, "no distinction can logically be drawn between evidence obtained in violation of the Fourth Amendment and that obtained in violation of the Fourteenth. The Constitution is flouted equally in either case. To the victim it matters not whether his constitutional right has been invaded by a federal agent or by a state officer. . . . Such a distinction indeed would appear to reflect an indefensibly selective evaluation of the provisions of the Constitution."

Qassem and Castro

Spanish-speaking America and the Arabic-speaking Middle East share traits more important than the superficial likeness between Castro's sugar-rich Cuba and Qassem's oil-rich Iraq. They are the only two large areas of the world in which ties of language and religion bind a large number of nations together in a peculiar way, and they are also the sites of the world's two big inter-oceanic canals. This week (July 14) is the second anniversary of Iraq's revolution, and some comments on its experiences may be relevant to Cuba.

In Iraq the revolutionaries, though their main motives were anti-Western, refrained from nationalizing their oil industry for reasons of experience. They had seen at close range the temporary but disastrous economic collapse of Iran during Dr. Mossadegh's nationalization program; furthermore, they themselves knew how it felt to drop income, since Iraq's own income from oil (on which it depends for two-thirds of its annual revenue) fell off disastrously when both its main export channels to Europe were blocked by Egypt and Syria respectively during the Suez crisis. Qassem, having promised to increase the pace of Iraqi development,

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could not risk even a temporary curtailment of revenue.

But his hard-headed decision to keep Iraq's European markets did not prevent him from cutting the links with other European firms and advisers, and turning wholeheartedly to the Soviet Union for replacements. A big Soviet line-of-credit and a flock of Soviet specialists materialized at once, the Communists or fellow-travelling voices became the loudest in the Iraqi cabinet. Spring 1959 was their heyday, but it was short; Iraqis sometimes call it "the 50 days." The tide turned last July, not because of Soviet behavior, which has been most circumspect, but because of Iraqi Communist excesses. The actual turning point was the Kirkuk massacres of exactly a year ago. The atrocities perpetrated turned even Oriental stomachs, and the inter-Communist quarrel about responsibility for them split the party into two factions which have never since come together; at present, the larger is favored by Moscow and Peking but the smaller is the only one licensed by Qassem to conduct party activities.

Visible signs that the public is sick of both are the silversmiths hammering away in Baghdad's bazaar at the silver rings on which, last year, they were engraving doves of peace and hammers and sickles, and this year, are inserting anti-Communist slogans. Equally, the Soviet technicians, however unobtrusively they behave in and around the hotels in which they are corralled, can now do nothing right; they are blamed at one moment for spending nothing ("Never a tip; never a taxi") and at another for buying up undue quantities of the bales of secondhand American clothes that are staple wear for city-dwellers in underdeveloped areas.

As is well known, Iraq's Communist phase frightened the rest of the Arabs: Nasser grew more sedate and more circumspect. Is it therefore unreasonable to infer that a local outburst of the Cold War in a usually homogeneous area such as the Arab world or Latin America is bound to work out to Western advantage, in that the Communist sample will frighten all the neighbors into pro-Western attitudes? By this reckoning, which has in the short run proved reasonably valid in the Middle East, Panama ought now to model itself on the cautious Egypt of 1960 rather than aspire to be the impetuous one of 1956; and Castro would do well to study Qassem's example. But the theory holds good only on the shortest of terms. In the long run, the Western powers derive no advantage from local quarrels which, in countries related by language (whether Spanish or Arabic), are especially apt to breed the plotting of political upsets in neighboring countries.

A Military Embargo of Cuba?

by Jack Raymond

Suggestions have been made by A. A. Berle, Jr., among others, for the control of the traffic in arms in Latin America. One purpose of such control would be to "contain" the Cuban revolution, to ensure that the Castro revolution stays on its home grounds and does not become a tool – unwitting or otherwise – of the Soviet penetration of Latin America.

But, it is pointed out, the US must avoid a unilateral embargo; it should join with other American States in devising means for "quarantining" the Cuban revolution. And one means for so doing would be to set up through the Organization of American States a hemispheric system of arms control.

Any proposal that would reduce the proliferation of arms where they can lead to trouble clearly has merit. And the importance of this particular proposal is underscored by the growing rambunctiousness of Cuba. But the idea is not new. In its report on the Mutual Security Act last April the Senate Foreign Relations Committee said: "The Committee continues to be concerned over armaments in Latin America and hopes that progress can be made in the coming year toward a regional arms limitation agreement, as proposed by the Presidents of Chile and Peru."

Insofar as the South American continent is concerned, hopes for an arms limitation have borne little fruit. Even Peru arranged to obtain two British cruisers last year at the very time that she was welcoming the disarmament scheme. This precipitated a Chilean-Peruvian argument over which side was creating an unhealthy imbalance of power. Peru lost a war to Chile in 1871 and neither side has forgotten it.

Insofar as Cuba is concerned, a partial arms embargo already exists. Since March, 1957, the United States

After serving The New York Times *abroad for 10 years,* MR. RAYMOND *has lately been covering the Defense Department.*

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has shut off arms to the Caribbean area – in effect, Cuba and the Dominican Republic – because of tensions in that area, and the US has prevailed upon the main suppliers in the Western world to reduce or cut out entirely all sales of arms to Cuba.

This does not mean, however, that the Castro regime has been unable to obtain weapons and munitions. It took over sizable stores from the Batista regime. Also, it has got occasional shiploads of small arms from Belgium, reportedly some cannon from Italy (which seems now ready to join the embargo), a few planes from Britain (which has joined it) and undoubtedly is successfully running guns from the US as it did during the revolution against Batista.

In addition – and what is foreboding – a Cuban delegation is now actively shopping for arms in Prague (which supplied Egypt on behalf of the Soviet Union). The Castro government is seeking, in addition to small weapons, torpedo boats and jet fighters.

Nevertheless, it would be wrong to exaggerate the extent of the arms build-up in Cuba – or in any Latin American country, for that matter. With an army of 35,000, a Navy of a few dozen patrol boats and other small craft, and a few creaky old World War II planes, Castro undoubtedly is stocking up more weapons and arms than he can use. But Cuba cannot for some time constitute a military threat to anyone but itself. Untrained, and to a large extent undisciplined, Castro men keep losing their caches of arms through accident or pilferage. None of the available experts is willing to estimate the quantities of arms Cuba is getting these days, except to say that they are "small." What this means is perhaps indicated by one report that a recent boatload arrived with enough rifles and ammunition to equip 100 men.

"What Kind of Exchange Programs Are These?"

Let us suppose that the United States were one among several Latin American countries participating in an agreed arms control scheme directed against Cuba. It is hard to believe that the group would dare to prevent a Soviet ship bearing Czech arms from completing its delivery in Havana harbor. When the US prevented a French ship carrying Polish arms from delivering its cargo to Communist-influenced Guatemala in 1954, it got away with the intervention but won few friends in Latin America or elsewhere by its action.

How Much Traffic Is There?

On the broader issue of arms control throughout the hemisphere, the US position is equally intricate – if not contradictory. Washington endorses the idea of arms limitation in Latin America, but it is also bound to cooperate in the military development of at least 11 Latin American countries, through the Mutual Security Act. These countries are Brazil, Chile, Colombia, the Dominican Republic, Ecuador, Guatemala, Haiti, Honduras, Nicaragua, Peru and Uruguay.

The official explanation for the bilateral Mutual Defense Assistance Agreements is that they come within the framework of the Inter-American Treaty of Reciprocal Assistance of September 2, 1947, which "established the principle that an attack on one is an attack on all." The agreements are said to be intended to promote the objective of the Resolution on Military Cooperation adopted at the Fourth Meeting of Consultation of the Ministers of Foreign Affairs in 1951. That resolution urges the American Republics to orient military preparations toward the common defense of the hemisphere, rather than confining such preparations to the defense of individual countries.

"We have made it clear to participating countries that our military interests in the grant program do not extend beyond those units which they have consented to maintain for regional defense under the Rio Treaty in bilateral agreements with the United States," a government official said the other day. "The strength of mutual security forces which we assist in any one country ranges between a maximum of 16 percent to a minimum of 2 percent of the total armed forces maintained by any one country."

But here again, the extent of US arms assistance to Latin America should not be overestimated. For example, total US arms deliveries for all of Latin America in the past 10 years amounted to less than a half billion

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dollars, compared with more than $6 billion for the Far East and $25 billion for Europe. In the short period of assistance to Yugoslavia, arms deliveries to Marshal Tito's regime alone amounted to more than $700 million.

At the same time, while the US does not *grant* free assistance for forces in addition to those maintained for regional defense, "all 20 Latin American countries are eligible to purchase equipment for that purpose" through the US military *sales* program. The amounts of these purchases are simply not available, because of secrecy or bureaucracy. The non-secret sales are said not to have been calculated in any one office.

Pentagon officials say they do not grant *every* request for arms sales. Under normal circumstances, they counsel Latin American countries to forego purchases when they consider these to be militarily unnecessary or to represent a serious drain on their economic resources. To what extent such a drain is serious is hard to determine from the bare budget figures and would require individual analyses for each country. For example, the Dominican Republic which devotes 5.95 percent of its Gross National Product to arms, and Brazil 4.4 percent, are proportionate to GNP the biggest spenders in this category in Latin America. Most of the arms expenditures, even when they constitute 26.5 percent of the budget as in Paraguay, do not siphon off more than 2.1 percent (Paraguay) of the country's Gross National Product.

Compared to the Big Powers, the defense expenditures in Latin America seem reasonable on the surface. In the US, where a $40 billion defense appropriations bill has just been passed in Congress, there are many complaints that this represents too little – only 10 or 11 percent of the Gross National Product.

However, presumably relatively poor countries cannot afford to spend even a miniscule percentage of their income on the military. Nor, it is argued, should the US abet the ambitions of leaders of such countries who do not recognize the economic virtues of disarmament. Yet experience has shown that when denied the chance to purchase US equipment, Latin American countries are usually able to procure it elsewhere. And in the process, they have a choice of procurement from numerous suppliers in the West or in the Soviet bloc.

Alternate Sources of Supply

"It does not follow, in consequence, that the United States should respond favorably to every Latin American request for arms of whatever type or quantity," a government official points out. "Nevertheless, the sovereign right of each country to determine its own military requirements and the availability of arms from numerous non-United States sources, including the Soviet bloc, are factors that remove the problem of Latin American arms limitation beyond the effective range of unilateral United States arms control policy."

The proposition that the Latin American countries, singly or as a group, could constitute an important deterrence to Soviet or Chinese military operations in that area – if one can imagine Moscow or Peking risking such an adventure – seems ludicrous in the age of missiles and nuclear weapons. While animosities exist on the continent of South America and tensions are great in the Caribbean, as Sen. George Aiken of Vermont pointed out in a recent study, "It is difficult to make a military case for Latin American military establishments beyond the kinds of national guards which are maintained by Costa Rica and Panama."

As a matter of fact, none of the Latin American countries wields significant military power and probably would be incapable of conquering any neighbor that was not first subverted from within. This, of course, would not stop certain of the Latin American leaders from trying. Nonetheless, the Organization of American States so far has succeeded in keeping the peace in the hemisphere.

But it is precisely the possible recklessness of certain Latin American leaders – they need not be named here – that reinforces the argument against supplying them with additional arms.

Senator Aiken says that, "Although the political power of the military is less now than formerly, it remains a force to be reckoned with in many Latin American countries, and civilian governments exercise no more than an uneasy control. Parts of the military budgets of some Latin American countries are in effect appeasement of the military – something to keep them happy so that they will not overthrow the government."

But he also adds: "A reduction of military expenditures which would weaken the military would make it easier for civilian governments to assert more nearly complete control. But a reduction which is too abrupt or drastic might encounter so much military opposition as to endanger the stability of civilian governments."

That seems to bring the problem of limiting arms for Latin America right back to where it is now. It is said to be a good idea, but it is balked by considerations of immediate self-interest. Moreover, even in the case of Cuba many officials believe that if the Cubans must have arms it would be well for this country and not the Soviet Union to be the source of supply. What many fear is not an armed Cuba, but one linked to and dependent upon the Soviet Union.

Here we may have identified the trouble with the United States policy on arms for Latin America. It is essentially a negative policy; the military forces that it builds could not be very effective in "hemispheric" defense; yet it provides a link between the United States and Latin American countries that the Soviets would like to break. There ought to be a better reason than that for military support.

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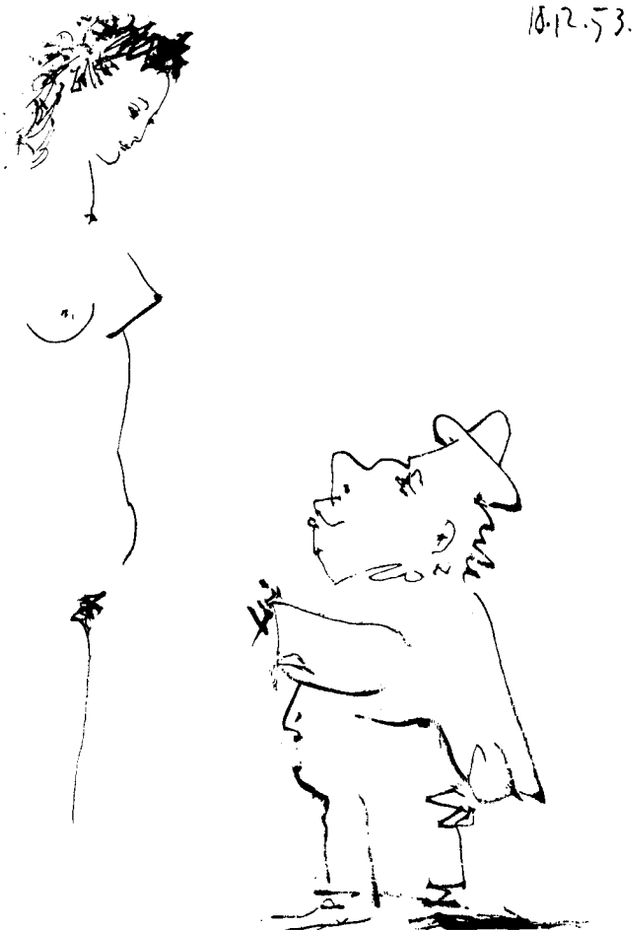
PICASSO

A 20th Century Masque

by Robert Woods Kennedy

16.12.53.



From *Picasso*, published by Harry N. Abrams, Inc.

A theme to which Picasso has returned over and over again is the nature of, and the relationship between, the sexes. Most of the pages of this extended exposition are in a graphic medium, etching, dry point, lithograph, engraving, or some combination of these techniques. They have appeared in large numbers, but sporadically, since about 1905. Seen as isolated works of art, as powerful, or beautiful, or charming, or above all as witty, they are rewarding enough. Now that we have them by the hundreds it becomes apparent that he has been up to the graphic artist's equivalent of writing a novel. Taken as a whole it is inward looking, autobiographical and experimental, and thus it reminds one of the works of Proust and Joyce. It also reminds one of the 16th Century English masque, that wordless entertainment on a classical theme.

Because he is dealing in pictures, rather than in words, each page of this work must stand alone, as well as relate to episodes in the past, and to come. The device which provides continuity is a specific cast of characters. Picasso has created, and remained faithful to, one set. They have developed over the years, and a few have been added, as the exigencies of the medium and his own growing understanding required. His familiarity with them, together with his incredible facility as a draftsman, explain why he has been able to produce this monumental work, along with other hundreds of drawings, paintings, sculptures and ceramics, unrelated, or only casually related, to its theme.

The character seen most often in these pages is a Beautiful Girl. By occupation she is an artist's model. She is ravishing, a present day Aphrodite. Her hair is long, her eyes in particular are beautiful, set far back in her head. Her face follows the classic model, straight nose, full rounded chin. She is voluptuous, her breasts large, her figure superb. Unlike the classic nudes she is often shown fully and very specifically sexed. Though the years pass she grows no older.

While her occupation does not allow of clothes, she does love to adorn herself with necklaces and belts made of flowers, with jewelry, and particularly with hats. A mirror is her favorite plaything, or she will gaze enraptured at a statue of herself. She plays, occasionally, with a cat or a cupid. Her demands are for attention, and for sex. Otherwise she tends to be unconcerned, passive, and silent. She does have one peccadillo however. Take her to a beach, give her some wine, play her some music, and she will abandon herself to a tremendously seductive dance, in which she displays her charms to the full. She is very feminine. The artist is crazy about her.

She does not know that she is identified, in the artist's mind, with a horse, and with a matador, and this is surely just as well. As a toreador she is charming, as a girl dressed in man's clothing can be. She manages equally well lying nude or semi-nude, in an attitude of abandon, on the back of a bull, or on the Mare which is her symbol and antithesis.

This Mare, a character who appears frequently, reminds one, at certain moments, of the classical horse sacred to Poseidon, symbol of gushing springs. But on the whole she is shown agonized, half starved, brutalized, dying of a puncture in her belly, from which her entrails hang. The enemy of the Mare, the agent of her agony and destruction, is a fearsome Bull, huge, sinister, dark and brutal; the very image of that animal, again sacred to Poseidon, symbol of impetuosity and

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ROBERT WOODS KENNEDY, *a Cambridge architect, is the author of* The House and the Art of Its Design.

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sexuality. We see the Bull, in several episodes, attacking the Mare, raping her, or annihilating her in scenes of horror, fury and excitement.

The natures of, and the relationship between the Mare and the Bull, so reminiscent of the Corrida, are essential aspects of this work. As it is graphic, the artist can juxtapose, or fuse, animals and people with an ease and celerity impossible in words. Thus the Beautiful Girl becomes the cutest of centauresses, one sees her abstracted with a horse's head, or she wakes to see her horse through a curtained window. Juxtaposition and fusion provide the artist with an enormous vocabulary, and thus allow him to describe the most complicated situations with a minimum of means.

The graphic medium offers yet another opportunity not readily available to the writer. The scenes he depicts can be witnessed by the very people taking part in them, as themselves, in another mood, in another role, or at another age. And indeed a witness, or onlookers, are important parts of many episodes. The most moving witness is a Little Girl. She peers at the scene, or shields her eyes, or looks away, and often holds a light which helps to illumine it. Or she leads the artist, in his role as the blind Minotaur, to safety. There is also a Little Boy, who reminds one very much of his feminine counterpart. These two characters seem to represent the artist or the Beautiful Girl, interchangeably, as they were when children, or as they are forced by circumstances back into a childish frame of mind.

The onlookers include an Old Lady, in a characteristic peasant costume. She is a firm, impassive, experienced, duenna-like sort of person. Still others are two replicas of the Beautiful Girl. In still other pictures the witnesses are simply indicated by eyes. Then there are several pedantic art lovers, silly people who are apt, while the Beautiful Girl lies in the most fetching pose, to myopically examine a picture, paying her no attention whatever.

The environment in which most of the story unfolds is like a classical dream of warmth, all enveloping light, beaches, the sea, with mountains seen across it. Windows are mere holes in the wall, through which one glimpses gardens. The interiors, as one might expect, are often an artist's studio.

The principal group of characters are people who represent some aspect of the artist himself. At his most inconsequential he appears as a Monkey. We see him painting the Beautiful Girl, or held in her arms, or watching her mating rites. In the same mood he appears as the Little Man. This character is short, clothed, snub-nosed, and ridiculous. He stands staring at the Beautiful Girl, transfixed by her femininity, and powerless to do anything about it. He also appears as a Clown. While the Beautiful Girl bids for his attention in the most exhibitionistic possible fashion, the Clown plays with a dog, or makes himself up in a mirror, conscious, but refusing to look. Next in order the artist appears as the Painter. As such he is an old man, clothed, with a scraggly beard, who usually wears glasses but who sometimes has forgotten to put them on. He peers myopically at his easel, or at some one of the Beautiful Girl's charms, intent on his painting, while she poses, serene, passive and unsatisfied. The Painter is not unlike one of the silly Art Lovers, and one of them may stand behind him, as oblivious as he is to the charmer just beyond the easel, the two of them reminding one very much of the Monkey.

It is only in his role as the Sculptor that the artist becomes fully sensate, fully human. In it he reaches his highest potential. Otherwise he is either inadequate to the Beautiful Girl, or made animal by her. He, also, is cast in a classic mold, handsome, straightnosed, with curly hair and beard, nude and well built. His looks, his environment and his preoccupations again remind one of Poseidon. His eyes are his extraordinary feature – he sees – his eyes are the very model of an artist's, as are those of Picasso himself.

The Sculptor makes love with the Beautiful Girl. We see them more than once in the transports of the sexual act. But the Sculptor cannot really fix his attention on his paramour except as he transforms her into an inanimate work of art. We see them, often, reclining, the Beautiful Girl nestled and passive in his arms, his eyes fixed on a bust he has made of her, his whole attention riveted on it. She too looks at the bust, as in a mirror.

From *Picasso, Fifty-five Years of His Graphic Work*, published by Harry N. Abrams, Inc.

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From *Picasso*, published by Harry N. Abrams, Inc

From *Picasso, Fifty-five Years of His Graphic Work*, published by Harry N. Abrams, Inc.

Her passivity, her love of herself, here stand her in good stead. Or, once, we see her in revolt. She has knocked over the bust, in this case a self portrait by the Sculptor, and has propped her mirror up against it. If looks could maim, she would be in a bad way. Or again, he leaves her, not too unhappily, alone with her bust. Or he banishes her. While he admires his likeness of her, she peers in at him through a window.

The Sculptor also appears as a witness, or onlooker, in the form of a bust on a marble pedestal. In this guise he observes the Beautiful Girl at play, or making passionate love to the Minotaur, or admiring her statue.

The author of all this also appears as the Man, a declassicized version of the Sculptor, muscular, homely, very hairy, amply and specifically sexed. The Man is a tough guy, a drinker, a womanizer, in short a very ordinary person. But he has fun.

As the Minotaur the artist appears as a still more potent character. As half bull he attacks the Mare. As half man he attacks the Beautiful Girl. He too is a womanizer, drinker, party goer, and is the catalyst, one feels, who transforms the Sculptor into the Man. But he by no means reaches the full power of the Bull. Like his classical counterpart, the product of a union between Pasiphaë and a bull, induced by Poseidon, he is not invincible. One feels that he would like to rape the Beautiful Girl in real earnest, but that she forestalls this by her willingness and her desire. When they are not caught in the act, one sees her diving for his genitals, in a transport of passion, while he defends himself. At disreputable drinking parties she drapes herself across him, abandoned, satisfied and at home. Or she waits while he does his silly drinking. Or she watches over him while he sleeps. She just loves her li'l old Minotaur. When he is killed, by a feminine young man (Theseus, surely) the Beautiful Girl and the Man watch in consternation, while a horrified woman in the audience reaches out to touch him as he dies.

The final staple character, often called Pan, or, A Faun, in the titles, might better be described as Young Rabbit Ears. He is a callow youth, with big ears and small horns, often very silly because they turn in, or are one behind the other. He has a small tail, and is usually drawn as not much of a man. He plays, always, a pair of pipes. And it is this Young Rabbit Ears, who, seated on a block at the edge of the sea, gets the Beautiful Girl to dancing her craziest. Sometimes they are shown alone together, in which case all she will get for her tremendous display is, one feels, exercise.

One of the funniest of juxtapositions in this saga is that in which the Man plays Young Rabbit Ears' pipes, while the Beautiful Girl stands in front of him, disgusted. She says nothing. But one feels that she is thinking "Oh Lord, how long is *this* foolish business going to take?"

The pages of this work can be roughly divided into

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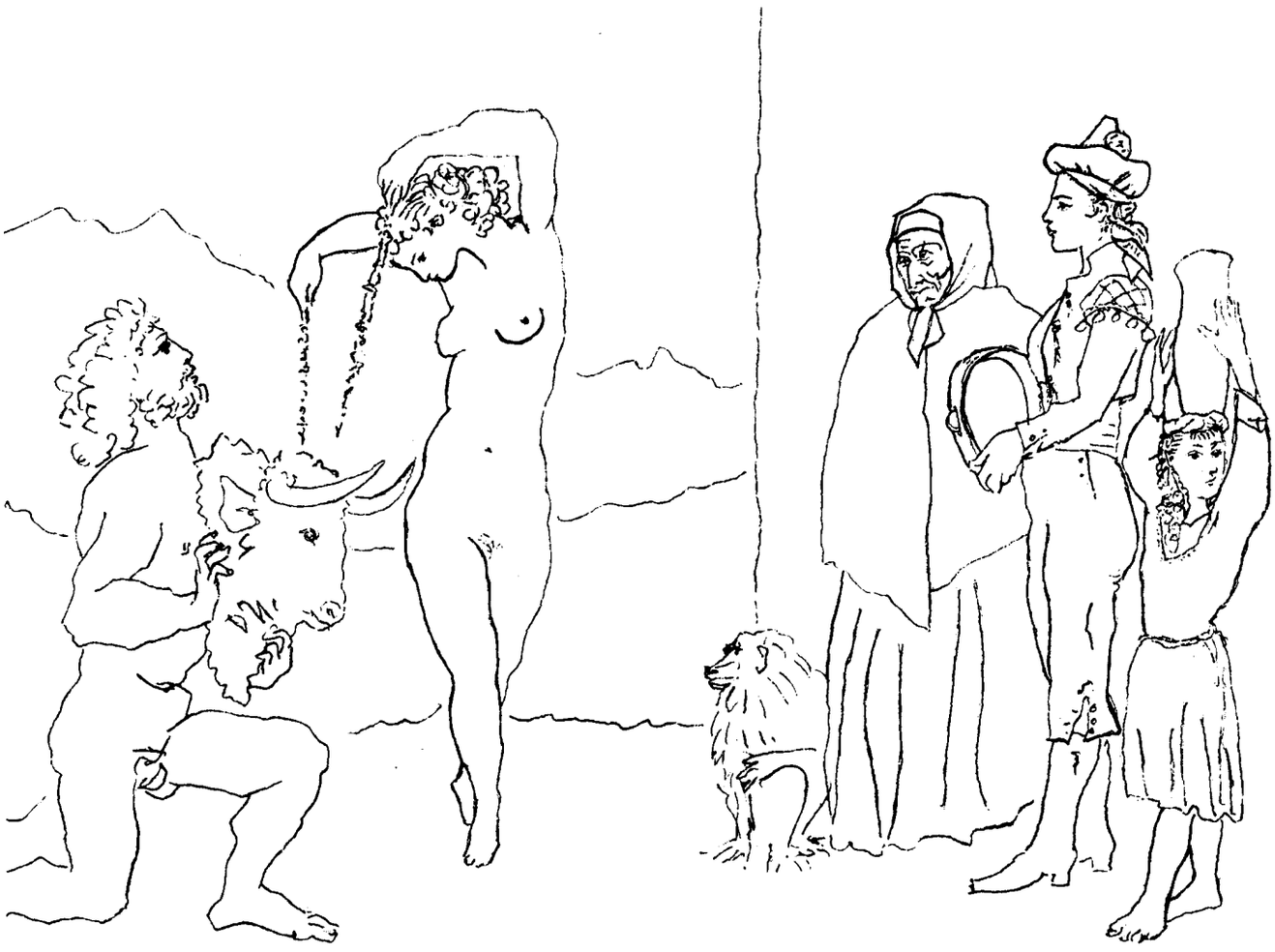

From *Picasso, Fifty-five Years of His Graphic Work*, published by Harry N. Abrams, Inc.

four categories. There are dozens of character studies of the Bull, the Mare, the Beautiful Girl, and Young Rabbit Ears. There are also numerous studies of the relationship between two characters – of the Bull attacking the Mare, of the Sculptor loving the Beautiful Girl, or excluding her, or of the Minotaur "attacking" (sic) her. The third category deals with more complex situations, in which several characters appear, or in which sculptures and masks play a part. Finally there are the great, the climactic, moments. Two of these, "Minotauromachy" (1935) and "Guernica" (1937) use the familiar characters to present scenes of horror and great distress. Others as the "Dance of the Banderillos" (Feb. 14, 1954) are utterly delightful. Here we see the Sculptor, kneeling, holding a mask of the Bull slightly below his face, while the Beautiful Girl dances, playfully pricking the mask with two flowered Banderillos. The Monkey looks on, as does the Old Lady. The Beautiful Girl is also one of the audience, dressed as a toreador and playing a tambourine. The Little Girl is by her side, holding a tall pot on her head. She looks away, distracted by something, for she is not really interested in, or perhaps is repelled by, these goings on.

Another climactic moment is "Two Men with Minotaur and Sculptured Bird" (1934). Here, despite the title, the Beautiful Girl wears a mask of the Sculptor as an old man. The Minotaur, also grown old, watches her. The old Sculptor toasts the sculptured bird, a bird with vestigial breasts.

The interpretation of this monumental work becomes more and more uncertain and diffuse as one ascends from character study to climactic moment. The numerous studies of individuals can be enjoyed simply for their merits and message. The relationships between characters present more difficult problems. The fact that the Sculptor loves the Beautiful Girl is pat. The fact that the Bull rapes the Mare with a sword-like penis, which punctures her stomach, gives one pause. But one cannot afford to ignore this relationship if one is to understand the third category. Thus the inner meaning of, for example, "Bull, Horse and Woman" (June 20, 1934) is clear. The picture is intended to contrast the beauty of the Beautiful Girl in intercourse, with the frightful image of the Bull and the Mare in the same situation.

A variation on this theme is given us in "Sculptor's

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Repose" (March 31, 1933). Here the Beautiful Girl lies nestled in the Sculptor's lap, looking away, while he stares, like a visionary, at a sculpture of the Bull raping the Mare. One does not, in this case, witness the rape, rather one understands it by means of the sculpture, as a product of the Sculptor's mind. Whether this rape is an unconscious throwback, representing Daddy Ruiz and Mommy Picasso, or a free association on the Poseidon myth, or a combination of the two, does not really matter. It is a superb device. Without it Picasso would have been greatly impeded by his graphic medium.

The theme reaches its climax in "Minotauromachy." Here we see a woman dressed as a toreador, but bare breasted, lying on the back of the ravaged Mare, holding out a sword to the Minotaur, who takes it in his left hand. With his right he shields this action from the Little Girl and her light. The Sculptor climbs a ladder to the second floor of a building, where two versions of the Beautiful Girl sit in a window watching a dove on the sill. The Sculptor seems to be escaping from the horrible image of the sex act he had conjured up as a child. The fact that this image is the most terrible thing Picasso knows is borne out by "Guernica." Here the Mare, the Bull, the Little Girl with her light, and the Beautiful Girl are used for political purposes, to convey the sufferings of a bombed and ravaged town. Political and sexual imagery become confounded.

The climactic moments transcend the symbolism of the lesser. They must be interpreted on the basis of the lesser, in that it is from all that goes before that they come. They may also be interpreted abstractly. The characters may be seen as ideas, as forces, as states of being. Thus we have Freudian, Jungian, and Amateur interpretations, and it is pleasurable to be able to agree with all of them.

However one wishes to interpret the climaxes, the great body of the work is intuitive, expositive and beautiful. It contains dozens of comments upon and jokes about the relationship of its author to women. Because he is a man of many parts, but nevertheless a man among others, we can all see ourselves mirrored in some of his pages; artists must surely see themselves more often than not, while a few, we can only hope, mirror Pablo Ruiz Picasso alone.

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What the Founders Believed

by Alexander M. Bickel

"Those who won our independence believed . . . that freedom to think as you will and to speak as you think are means indispensable to the discovery and spread of political truth . . . that . . . discussion affords ordinarily adequate protection against the dissemination of noxious doctrine. . . . Believing in the power of reason as applied through public discussion, they eschewed silence coerced by law. . . . If there be time to expose through discussion the falsehood . . . the remedy to be applied is more speech, not enforced silence. . . . Such, in my opinion, is the command of the Constitution."

So runs one of the great, timeless arguments in defense of free speech. Its author was Justice Brandeis. But it turns out to be extremely unlikely that those who won our independence believed quite this much. That is the point of *Legacy of Suppression*, a solid and subtle work of historical scholarship by the Earl Warren Professor of Constitutional Studies at Brandeis University.

Legacy of Suppression
Freedom of Speech and Press
in Early American History
by Leonard W. Levy
(Harvard; $6.50)

The aim of this spirited and elegantly written book is "merely to show," in Ranke's words, *wie es eigentlich gewesen ist*. And on the best evidence available, it seems that things weren't actually as we have been pleased to imagine they were. Very broadly, it appears that in colonial times, here and in England, freedom of the press meant only freedom from prior censorship. For the rest, English and colonial libertarian thought advanced no farther than to demand that in prosecutions for seditious libel, that is, for certain uncomplimentary utterances about the government of the day, truth be an absolute defense and juries rather than judges be empowered to decide guilt or innocence. No more elaborate proof of the triviality of these reforms need be adduced than the fact that they were embodied in the Sedition Act of 1798.

It seems possible that the First Amendment was meant to deprive the federal government of all authority to deal with seditious libel. Even this is far from certain, but in any event, the First Amendment becomes on this hypothesis only an instrument for the distribution of powers between the general government on the one hand, the states on the other. No restriction could be drawn from it on the power of the states to punish what they deemed to be seditious speech, whether directed at themselves or at the federal government.

Mr. Levy thus strikes at an assumption widely indulged by many authoritative figures. Brandeis was neither the first nor the last to entertain erroneous beliefs – as they now appear – about what "those who won our independence believed." The received hypothesis, to which James Madison himself gave some currency after the fact, has long been that, as the late Zechariah Chafee, Jr. wrote, the framers of the First Amendment intended "to wipe out the common law of sedition, and make further prosecutions for criticism of the government, without any incitement to law-breaking, forever impossible in the United States of America."

Well, Mr. Levy makes a convincing revisionist demonstration. Things were otherwise than Chafee and Brandeis and even Madison thought. And so what? History, said Burckhardt, "is the record of what one age finds worthy of note in another." This is most particularly true of the uses of history in constitutional adjudication. We find worthy of note the stirrings of libertarian theory in colonial times, not the barbaric prosecutions. The often-invoked John Wilkes, Mr. Levy makes clear, held the view that some seditious speech (though not his own) should be severely dealt with, and he was committed to this view "side by side with a rhetorical tradition that should have implied the contrary but addressed itself only to transcendant propositions uncontaminated by reality." But what we find worthy of note is the rhetorical tradition and its implications, not the inconsistent commitment. We reason from the aspirations of previous generations, not from their frailties. Finally, we find and note the emergence, albeit later, well after the framing of the Bill of Rights, of a more gratifying American libertarian theory.

Mr. Levy is the first to concede – indeed, he affirms, first and last – that current constitutional doctrine does not depend "on what passed for wisdom in the 18th Century." It is enough for him that the Framers gave recognition to an undefined principle of free speech. "That they were Blackstonians does not mean that we cannot be Brandeisians."

Is this book then, in a phrase Mr. Levy has occasion to use, a worthy but not terribly important work of "antiquarian historicism"? Quite the contrary. Mr. Levy, naturally enough, enters no large claims. It is nevertheless true that nothing can be more important for the process of contemporary application of First Amendment principles than the knowledge that Mr. Levy imparts. For only a society that strives to attain truth through reason is fit to enjoy freedom of speech. Such a freedom bestowed by judges who rest it on a historical hypothesis suspected of being (or known to be) erroneous carries the fault of a profound inner contradiction and is a very uncertain blessing. We require to know, as accurately as may be, whence we come, and to be aware that it is our own reasoned will, not some idealized ancestral compulsion, that moves us forward.

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Footnotes on the New Bohemia

by Lloyd Zimpel

Softened by favor, the beats have held the barricades less mightily than they promised: genuine beatniks hire out to perform at parties; department stores sell beatnik kits – beard, dark glasses, beret; an alley-entrance to San Francisco's North Beach bears the sign – "Gateway to Beatnikland." With the movement taking on the color and trivial spirit of a popular leisure-time activity, a manual, *The Beat Scene*, is apropos. It guides both the true-believing neophyte

The Beat Scene
edited by Elias Wilentz
photographs by Fred McDarrah
(Corinth Books; $1.50, Paper)

The Beats
edited by Seymour Krim
(Gold Medal Books; $.35, Paper)

and the weekend sport, as in this poem by Ted Joans, one of forty-five contributors to the collection:

> "Let's play something. Let's play anything. Let's play that we are all hipsters . . . and be spiritually involved with life and dig all things creative . . . and ball a whole lot . . . and wail cool before the world."

Like any worthwhile handbook, this one is illustrated with photographs that are less art than diagrammatic instruction. Sturdy ancestors – Jefferson, Melville, Emerson, Thoreau – supply instructive notices. In his introduction the editor, Elias Wilentz, instructs, too: "You can't lump all writers together"; but he fails to heed his own warning.

For all the careful categorization – "*Life* magazine 'beat', Ginsberg 'beat', Kerouac 'beat', or Norman Mailer 'beat'," and the editor's exhortation: "Each should have to be examined separately to make conclusions, whether aesthetic, political or moral," there is not much in this hasty pudding of forty-odd poets and one essayist to stimulate an examination of the difference. The apathetic inquirer wondering, "who, then, is *really* beat?" has no better answer than before.

Whatever is said of the resurgence of interest in poetry among the common folk (and a few words are found in the introduction), this book remains for the hoppies. It may be somewhat to the point that the beats and their related superiors – Lawrence Ferlinghetti for one, along with a half-dozen "new" poets – have steered poetry away from the academic underbrush and back to straighter paths. Yet they reach their public more as beat generation phenomena (this collection, with its photographs to show "what they look like," helps insist on it) than as agents of communication.

This is not to say that these coffeehouse utterances do not sometimes become engagingly spontaneous entertainment. But they offer little when removed from the free-for-all of a poetry reading. The best of the lot comes from the "Black Mountain" group – Robert Creeley, Jonathan Williams, Paul Blackburn. Alongside the tense, clipped satiricism of such men is set the beat jester in poetic pose who tells of his compromise: "As for all the showoff stunts well hell that's just part of the job. . . ."

This bit of guilty insight should be listened to. For what comes through from these pages is that the beat, while keen enough about the obvious absurdities of the square world, still is pretty much aflounder in his hipness; "Beatness" has not yet furnished answers enough of its own. It still serves best – especially for the young rebel who will study this volume – as a means of attaining quick status in a world that moves smilingly to absorb him. (What status remains in the beard when a prize is given to the man with the "sexiest" one at the North Beach Arts Festival?) In a body the poets turn on tattered and ready-made, if worthy, targets: suburbia, witless authority, ugly cities and ugly citizens. But only one or two of the writers levels any insight upon his own crowd. Even the grim humor – "Jails are too small, sweaty AND STINK!" – sags with its earnest capitals.

Most of the many photographs by Fred McDarrah are here only for the pleasures of the Greenwich Village people they picture and so are scarcely more interesting than those of a high school yearbook. Infrequently they do connect with the text in that a poet's awkward pose subtly suggests the manner of his verse. Like some of his subjects, the photographer is fond of objects in series; thus he finds a pattern to interrupt – a half-dozen garbage cans in a neat row ending with a leaning poet; lines of children's swings, rows of chairs, laundry baskets, packing cases, each with a poet among them.

Seymour Krim, who contributes the single essay to *The Beat Scene* – an energetic piece of circular prose on the art of "swinging instead of standing still" in a hung-up world, called "Waking It!" – is himself the editor of another paper anthology, *The Beats*.

At one-quarter the price of *The Beat Scene*, this is a better bargain. In that it is not only *by* but *about* beats it offers a greater range of passion. Many of the same people contribute to both collections – Philip Lamantia, Ferlinghetti, Ray Bremser, Ginsberg, Kerouac, Jack Micheline, Corso, Diane Di Prima – but in *The Beats* their work, on its way from the coffeehouse to the publishers, has passed beneath a more selective editorial eye and is both accomplished and unpredictable enough to generate some excitement. Even the movement's most articulate detractors have their say: two pointed essays—"The Beat Mystique" by Herbert Gold, and "The Know-Nothing Bohemians" by Norman Podhoretz – suggest that the beats' single greatest achievement lies in the intelligent criticism it has roused out of some sharp men.

In *The Beats*, the anthologist has slipped in a ringer or two. The inclusion of good stories by Chandler Brossard

Summer Schedule

During the summer months, *The New Republic* will not appear on the following dates:
July 4 August 1 August 22 September 5

Weekly publication will be resumed with the issue of September 12.

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and Anatole Broyard again raises the question of how far afield an editor may legitimately stray in searching for material to fill a beat anthology. Can he go as far as Norman Mailer (part of whose *Deer Park* dramatization is included), and if so, must he stop there or can he also take Brossard?

The most striking mark against the book is one that could easily have been removed – the editor's introductory comments to the selections. Brimming over with hip language, they embarrassingly suggest how inadequate are such phrases as "spooky real," "it's strong, man," "on the beat," or "go, baby!" when they are screwed into describing the nature of an author's achievement or to outline the critical basis for signaling one's approval of it. This kind of quickly-dated shorthand bears a slight suggestion of the jive talk of another decade – nothing in print can set one's teeth more painfully on edge.

Defining the Welfare State

by J. Parker Van Zandt

When Sen. Barry Goldwater writes scathingly of "the welfare state" in *The Conscience of a Conservative*, and Gunnar Myrdal, a distinguished Swedish economist, uses the same phrase in the title of his latest book, *Beyond the Welfare State*, they are not talking about the same thing.

To the Republican Senator from Arizona "Welfarism" represents an insidious attack on individual freedom: it "transforms the individual," he writes, "from a dignified, industrious, self-reliant *spiritual* being into a dependent animal creature without his knowing it. . . . The long-range political consequences of Welfarism are plain enough: as we have seen, the State that is able to deal with its citizens as wards and dependents has gathered unto itself unlimited political and economic power and is thus able to rule as absolutely as any oriental despot."

Beyond the Welfare State
Economic Planning and Its International Implications
by Gunnar Myrdal
(Yale; $4.50)

It is a measure of what Myrdal calls "the stale and confused controversy" in this field that the same words can mean such different things to two men of this caliber. What Myrdal is really writing about, as his sub-title more correctly indicates, is economic planning, or control: "How economic planning has actually developed in the Western world, what it now is, what its effects are for international relations, and what the prospects are for the future."

No development has been more unplanned, says Myrdal, than the spread of planning in all the rich countries of the West. Ironically the *idea* of economic planning has continued in disrepute, particularly in the United States, precisely while our economy has become increasingly regulated, organized and coordinated – *i.e.*, "planned" – to an extent not dreamed of 50 years ago.

This is largely – although by no means wholly – due to the succession of violent crises beginning with World War I, which led to tremendously accelerated state intervention in economic life. Generally assumed temporary when first introduced, it was found, for practical and political reasons, impossible to withdraw. The need arose to coordinate these public policies, usually begun in piecemeal, haphazard and often conflicting fashion; and this had led to "planning," as Myrdal defines the term. State intervention in the Western countries has not been the result of a conscious decision to plan; just the reverse – intervention has led to planning.

It may come as a shock to followers of Goldwater, and to many liberals, that the choice between a so-called "free" and a "planned" economy has already been made for them, by events. The trend toward economic planning today is irreversible and worldwide.

To analyze this universal phenomenon, Myrdal divides the world into three broad classes: the small upper-class group of nations, comprising about one-sixth of the total non-Soviet world population, which is comparatively very well off; the much larger lower-class group, which is very poor; and the Communist countries. "The three orbits," he says, "have entirely different types of planning. . . . Decisions on the public policies implied in planning are arrived at in very different ways and the sanctions applied in order to carry them into effect are also different."

All the rich Western countries have evolved into what Myrdal calls democratic Welfare States, although none of

Summer

(Sung by dryad remembering her lost tree)

Outside my window is a wall of green;
I see no higher than a tree is tall;
I see no further than a leaf allows;
Where is October and the harvest glean?
I hear no thud of plum beyond the wall;
Between the grape and me, a wall of green;
How long since last I was a god and rose
As cadence of the wine-press festival?

I knew, from inside once, this very green;
It was my skin; and tingling I recall
How just this tint, when just so rich it flows,
Would drain my roots to feed my tallest boughs.
Seeing now such fullness, my whole body knows
So deep in summer is not far from fall.

Peter Viereck

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them originally planned it that way. In effect, they backed into it.

In the underdeveloped countries, on the other hand, since the Great Awakening, planning has "social prestige"; their aim is a short-cut to the desirable example set by the rich democracies. They are eager to be known as "Welfare States" whose goals they conceive, with Myrdal, to be: "economic development, full employment, equality of opportunity for the young, social security, and protected minimum standards as regards not only income, but nutrition, housing, health, and education for people of all regions and social groups." In such a Welfare State most people, they feel, will have good reason to feel freer, not less free.

Now it is a disturbing fact that while the "rich" countries are relatively very very rich and getting richer, the "poor" nations on the whole have been developing much more slowly, if at all. As a result the international class gap has been widening; and it continues to widen today. If a world conflict of interests is to be avoided some way must be found to reverse this trend. This would be true even if there were no Soviet bloc, although it is not surprising that the Communist powers seek to exploit the dissatisfaction of the poor nations with the existing immense inequality between the two groups.

The solution, in Myrdal's opinion, lies in more effective multi-national planning. National planning leads to the need for international planning. But coordinated action will not be easy, because the Welfare State as it has developed in the rich Western countries is essentially protectionist and nationalistic. The difficulties of the "Six" and the "Seven" in Europe today underscore the obstacles to multi-national planning. Here, the monolithic Soviet state has a definite advantage, for it can easily readjust its commercial policies in a particular area in any way it wants to serve its political ends.

Even Senator Goldwater would agree with Myrdal's comment on grant aid and technical assistance: "My main criticism of the present state of affairs is that the United States has been left to pay almost the whole bill for such help. . . . It is not fair, and will never be felt to be fair, that a man who lives in Stockholm, Geneva, or Brussels should not share the burden of aid to underdeveloped countries equally with a man in the same income bracket living in Columbus, Ohio, in Detroit, Michigan, or in Denver, Colorado."

For the patient reader there are many nuggets to be mined in *Beyond the Welfare State*, providing he is not discouraged by the tendency to repetitiousness and the lapses into the peculiar jargon of professional economists. Economic problems are everybody's business, they are part of everybody's life. It is too bad they cannot be presented in a form to interest a wider audience.

"WHEN THE *U-2 affair blew up, Britain had an outburst of plain funk. Journalists could hardly control their trembling fingers as they typed out their horror at the malignant and insensate provocation offered by the Pentagon warmongers to a man of such acute sensibilities as Mr. Khrushchev. Many were the pious sighs of relief that Mr. Khrushchev had kept his head and emerged purified and strengthened from his dark night of the soul.*" (*Colm Brogan in 'Letter from London'.*)

From the current issue of NATIONAL REVIEW. Write to Dept. R-3, 150 E. 35 St., New York 16, N. Y., for free copy.

The Money Behind Politics

by James MacGregor Burns

A few years ago Sen. Francis Case, in a dramatic appearance on the Senate floor, revealed that an agent of a big oil man had offered him a campaign contribution while the Harris-Fulbright natural gas bill was before Congress. The Senate rose in high moral dudgeon over this attempted "bribe." Eighty-four Senators joined the majority leader in promptly co-sponsoring a bill to strengthen the Corrupt Practices Act. Then public interest faded – and so did the Senators'. Neither that bill nor any other on the subject passed the Senate at that session.

The Costs of Democracy
by Alexander Heard
(North Carolina; $6)

The incident symbolized the cloudy moralism that Americans and their representatives bring to the problem of money in politics. Few issues in American politics are charged with more confusion and hypocrisy. It is the great merit of *The Costs of Democracy* that it subjects the whole problem to astringent analysis. In doing so Alexander Heard, who is Professor of Political Science at the University of North Carolina, cuts the problem of political money down to size.

The actual cost of campaigns has *not* soared steadily, he concludes. Campaign costs are *not* unusually high in the United States compared to other countries. The party with more money does *not* always – or even usually – win as a result of that money. Fat cats are *not* the sole source of money and they do *not* always call the political tune. (Nor are they confined to the Republican party – a fact that will probably not dampen Democratic attacks on the "party of big business" this fall.) And all attempts at legal control of political money have *not* been futile.

How serious a problem, then, *is* money in politics? Mr. Heard sees several troubles. One is raising enough money so that parties and candidates can reach the public effectively. The problem here may be too little money rather than too much. In 1952, for example, one advertising agency alone handled billings exceeding the $140 million estimate for the cost of all political campaigns that year, and two other agencies spent almost as much. Another problem is the difficulty of broadening the base of political contributions so that more Americans will help finance campaigns, and so that every serious candidate can get the financial help he needs. Another is the cynicism, much of it justifiable, that envelops the use of political money today – a cynicism that breeds more evasion and hampers reform.

There is no panacea, the author concludes, and he urges Americans to drop their moralistic and unrealistic approach and to accept a margin of tolerance in improving legal regulation. But he does have a batch of rather ambitious suggestions: "cash subsidies to parties and

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candidates by federal and state governments; government subsidies of campaign communications; government regulation of television and radio broadcasting to reduce costs and make broadcasting opportunities more nearly equal among opponents; tax incentives at all levels to dignify, encourage, and indirectly subsidize political donations; community drives for financial support akin to those conducted on behalf of educational, charitable, and religious causes; statutes designed to achieve effective disclosure of campaign finances; and limitations on an individual's aggregate political gifts, and on the role in campaign finance legally permitted to powerful, highly organized social interests."

Mr. Heard has produced as nearly definitive a treatment of political money as we can expect to see in this generation. More important, he has used money as a way of tracing the flow of influence through the whole network of American politics. What he finds will not surprise students of American politics: poorly conducted campaigns; lack of competition between candidates, especially in primary elections; confused relations between national and state parties; weak staffing of party bureaucracies (when they exist at all), especially at the state level. Primary elections in particular comprise "the shadowland of American politics" in his opinion; money exerts far more influence in nomination fights than in elections. Presidential primaries, the author believes, ought to be abolished unless the states holding them help candidates meet the heavy costs of campaigning.

How realistic are some of these recommendations? Take the idea of increasing the number of small contributors to campaigns. In 1952 Beardsley Ruml dreamed up the Five-Dollar Certificate plan to collect millions of dollars from several hundred thousand Democrats for Adlai Stevenson's campaign. The plan was an almost complete failure, simply because the Democratic National Committee had little control over the state parties that were supposed to collect the money. It is doubtful that parties will become more broadly financed until the parties themselves become more broadly based in groups actively operating locally but closely geared to national party leadership. Without stronger, better-led, and more responsible national parties, reform of campaign finance will have only modest success.

The result of several year's work by a team of researchers, who interviewed hundreds of politicians throughout the country, *The Costs of Democracy* is an impressive achievement of modern scholarship. It also bears its scholarly apparatus rather heavily. Although Mr. Heard writes clearly, with an occasional sprig of dry wit, the pages are so speckled by footnote numbers and crowded with long footnotes as to defy easy reading. Not that the footnotes are dull; they contain such fascinating examples of money in politics and impolitic use of money that one's eye keeps straying from the larger print. A thorough editing might have put more of the substantive footnote material into the main narrative, more of the charts and tables in appendices, and more of the references into the back of the book. For Mr. Heard's vast data and judicious counsel deserve wide notice this year.

THEATER

Good Omens from Italy

Rome

After dark, most of the city goes to bed, or watches the single television channel, or goes out to a movie – and Rome can boast more cinemas than any other city of its size. As for the more elegant of the arts: concerts usually begin at five, when the ordinary citizen is still hard at work. And theater is almost a dead issue. There are barely a dozen houses, none as large as the average Broadway theater. No play runs longer than a month, with the exception of Eduardo de Filippo's popular Neapolitan comedies. And few of the plays produced are by Italian authors. The current hit, for instance, is William Gibson's *Two for the Seesaw*. Everybody who is anybody talks about this "crisis of the Italian theater" (title of at least two well-publicized open forums held recently), but nobody had done anything about it – until, on March 3, Vittorio Gassman opened his remarkable *Teatro Popolare Italiano*, with a colossal production of Manzoni's romantic drama, *Adelchi*.

Gassman, at 37, is the *mattatore* (the man who meets and vanquishes every situation). He has acted and directed in important Italian theater for years. His range extends from Stanley Kowalski to Hamlet, from Greek tragedy to slapstick farces. His television program and his movie roles have made him truly *popolare* – a word especially significant in Italy where a difference really separates what is of the people from what is not. And it is a theater for the people that he has tried to create, using his name as the link between the masses who will be his audience and the great dramas he plans to show them. All over Rome, in the months preceding March, one saw posters proclaiming the imminent opening of the *Teatro Popolare Italiano* of Vittorio Gassman. The letters "TPI" have been shaped into a trademark which is sewn into the work uniforms worn by everyone connected with the theater. And before the opening, Gassman and his troupe made personal appearances in almost every section of Rome, the first held in the tent of the Orfei Circus and produced with the aid of a band, popular singers, and a group of somersaulting acrobats to

NOTES ON CONTRIBUTORS

Lloyd Zimpel *lives in San Francisco, where he has had first-hand experience with the subject of his essay.* Peter Viereck's *poem is an excerpt from his new verse-drama* The Tree Witch, *which will be published next spring by Scribners'.* J. Parker Van Zandt *has written two books for the Brookings Institution and served six years in Paris with NATO. He now heads a service assisting American firms to develop their overseas trade.* James MacGregor Burns *teaches political science at Williams College and is the author of* John Kennedy: a Political Profile. Paul Mankin *is teaching at the Summer Language Institute of Central Connecticut State College.*

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whom Gassman recited Hamlet's advice to the players. "He sells his theater as if it were a toothpaste," one drama critic complained. And although this is true, it is not necessarily bad. Gassman is determined to use every means to make a place for his theater in the life of Italy.

Adelchi might seem an odd choice with which to inaugurate popular Italian theater. Never before successfully performed, this romantic verse play was written in 1822 by one of Italy's greatest authors, Alessandro Manzoni. The play makes an ardent plea for unity, justice, and peace in a period when northern Italy was under Austrian domination, and prefigures the glorious era of Garibaldi, Cavour, and the uniting of the Italian kingdom. Brimming with Byronic sentiment, *Adelchi* demands recitation and grand gestures, is at times almost immobilized by long soliloquies and declamatory dialogue. But every Italian with some education knows *Adelchi,* and can even recite, if he has to, some of the more famous lines. And Gassman has taken every advantage of the opportunities for spectacle which the play offers.

Adelchi is the son of the bellicose king Desiderius, ruler of the Lombards at the time Charlemagne makes his conquest of Italy. Truly Hamlet-like, Adelchi must choose between his desire for peace and justice, and his filial duties toward his father who insists on fighting Charlemagne, more out of spite than conviction. Adelchi never really makes the choice, and as he lies dying of a Frankish sword thrust, he succeeds, in forty-seven cadenced lines, in obtaining mercy for his captive father, and pleads magnificently for equality here on earth, as it must inevitably occur in heaven.

Critical reaction to *Adelchi* has been largely favorable, although somewhat dazed by the overwhelming physical achievements: Looming up out of the sedate Villa Borghese park, the theater is an enormous canvas tent of prussian blue, one side emblazoned hugely with the word "Eldorado" – a candy manufacturer who paid for the privilege (along with many other manufacturers – the inner walls, seats and passageways are covered with advertisements). The tent is supported by folding ribs of steel, and holds 3,000 spectators, 2,000 in grandstand seats selling for 500 lire, the price of a first-run movie. The stage is 110 feet wide and 70 feet deep, making it one of the largest in Europe. Thirty huge trucks are needed to move this giant construction (it is supposed to be portable, and plans are to truck it next year to Turin, where the 100th anniversary of Italy as a nation will be celebrated, possibly with a gala performance of *Adelchi*). The cost of the physical structure runs to 300 million lire which represents far more than $500,000. Gassman and his angel, the industrialist Giuseppe Erba, obtained financial help from SIPRA, one of Italy's largest publicity organizations; Olivetti gave an undisclosed amount; FIAT contributed four cars; and the Italian Government is reported to have promised 25 million lire to help pay for the Theater's southern tours after its Rome season is completed. In addition, Gassman put most of his own fortune into his giant baby.

The production matches the size of the theater. When the lights go out, the miracle happens: the baseball stadium atmosphere vanishes with the hawking ice-cream vendors; the publicity slogans that are written on the back of every seat are forgotten. To background music by Verdi, huge castle walls slide silently into place. Battle scenes achieve almost a cinematic effect. From above, spears are hurled, to stick shudderingly into the wood of the stage. When Charlemagne and his knights ride in on horses, the audience breaks into delighted applause. These fanfaronades are often in stark contrast to the play's lyrical language, but they fit the epic and historical tone admirably. And Gassman especially, in the white armor of the good knight Adelchi, makes the huge air space of his balloon theater vibrate with declamation in the grand manner. His lean, large, almost clumsy figure dominates the giant stage, and he uses his voice deliberately like an instrument, scoring his speeches in long rising and falling musical lines.

The TPI will travel this summer – without the tent – first to the Greek theater in Syracuse for a performance of the Orestes cycle in a new translation by Pier Paolo Pasolini, the company's playwright-in-residence. At the Spoleto Festival, they will present a new comedy by Ennio Flaiano, *A Martian in Rome,* where the hero will arrive by helicopter.

PAUL MANKIN

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RECORDS

For Voices and Instruments

A number of infrequently heard songs of Hugo Wolf are on the Angel records – 35838 (mono) and S-35838 (stereo) – from his *Spanish Song Book*, sung by Fischer-Dieskau accompanied by the pianist Gerald Moore. They illustrate what is most remarkable about Wolf's songwriting – the susceptibility to the poem that reveals itself in vocal writing which is like an extension of the words in the way it shapes itself around them as it points up their meaning. This is true of all his songs; what is true only of some is that the progression that is so remarkably integrated with the poem is in addition moving or attractive as a piece of music. That is true of a number of the songs on the records, including the best known: among them *Nun wandre Maria, Ach des Knaben Augen, Herr was traegt der Boden hier, Seltsam ist Juanas Weise, Auf dem gruenen Balkon*, the refrain of *Wen du zu den Blumen gehst, Herz verzage nicht geschwind, Dereinst dereinst*. But others, including some of the infrequently heard ones, are only expressive declamation which carries the words efficiently. The vocal beauty and expressiveness of the singing and the sensitive support of the piano add up to superb performances.

Several fine songs of Schubert – *An die Musik, Im Abendroth, Geheimes, Im Fruehling, Abschied* – and the lovely *Mondnacht* of Schumann are on Angel 35583 (mono) and S-35583 (stereo), with a number of songs by Schubert, Schumann and Strauss that I care less for. Except for a cavernously portentous delivery of *An die Musik*, they are sung beautifully by the bass Hans Hotter accompanied by Gerald Moore.

The songs of Mahler – and specifically the five shorter ones of *Das Lied von der Erde* – are rightly considered a good way to approach his music; but *Das Lied* offers in addition the fascination of his writing for the orchestra. This resembles Berlioz's in its precise, fastidious employment of large forces; in its use of now only these few instruments and now only of those few in textures that are at once complex and clear; in the fact that the activity of an instrument is never a perfunctory doubling or filling in of texture, but always something done with attention and purpose – this evidence of a mind always working, and doing so in unexpected, individual, original ways, being what holds interest even through something like the lugubrious 25-minute final song of *Das Lied von der Erde*. The occasion for these remarks is the outstandingly fine performance of the work by Reiner with the brilliant Chicago Symphony, the sumptuous-voiced contralto Maureen Forrester and the excellent tenor Richard Lewis, on RCA Victor LM (Mono) and LSC (stereo) 6087. For no evident reason, the fourth side, which might well have been filled out with additional songs of Mahler, is devoted to Haydn's Symphony No. 88.

The fascinating Berlioz orchestral operation can be heard in the pieces that London has issued only on stereophonic CS-6101: the Rakoczy March, the well known *Roman Carnival* and *Beatrice and Benedict* Overtures, the less frequently played Overture to *Benvenuto Cellini*, and the almost never heard *Corsair* Overture, whose Adagio sostenuto section offers a particularly fine example of Berlioz's highly individual melodic writing. Martinon's rather slow-paced performance of the march with the Paris Conservatory Concerts Orchestra is unexciting; but his performances of the overtures are effective.

A work of Weber that I don't recall hearing before, his Piano Sonata No. 4, played by Leon Fleisher on Epic LC-3675, ranges from the delicate poignancy of its beginning to the exciting energy of its tarantella finale. One understands Schumann's terms "special" and "melancholy" applied to the work, but not the programmatic meaning – a struggle of reason against insanity – which Weber's pupil Benedict claimed to have received from the composer himself. Fleisher's performance is excellent; and the record offers also Weber's charming *Invitation to the Dance* and, regrettably, Liszt's pretentious and boring Sonata in B minor.

One of Schubert's greatest instrumental works, his String Quartet in D minor, *Death and the Maiden*, is on RCA Victor LM (mono) and LSC (stereo) 2378. I take Schubert's directions for the variation movement – Alla breve and Andante con moto – to apply to the theme at the beginning and end as well as the variations in between; and I therefore question the Jullliard Quartet's Adagio tempo for the theme. Except for this, the group plays the work very well. The piece known as *Quartettsatz* is also on the records.

The first three of Handel's Concerti Grossi Op. 6 are on Epic LC-3676 (mono) and BC-1074 (stereo), played well by the Handel Festival Orchestra of Halle under Horst-Tanu Margraf's direction.

For those who want a stereophonically recorded Beethoven *Eroica* I can report a good performance by Solti with the Vienna Philharmonic on London CS-6145. I must mention, however, that because Solti repeats the exposition of the first movement, the second movement has a break at the end of side one.

Ansermet's performance of Tchaikovsky's *Swan Lake*, recently issued by London on stereophonic CSA-2204, has been issued also on monophonic CMA-7201. On the other hand Karl Richter's excellent performances of Bach's Passacaglia, his Toccata and Fugue in D minor and his Chorale-Prelude *Ich ruf zu dir Herr Jesu Christ* for organ, which London issued some time ago on monophonic CM-9124, are now also on stereophonic CS-6172 (with a work of Liszt); and Richter's performances of Bach's Fantasia and Fugue in G minor, Prelude and Fugue in E minor and three chorale-preludes, previously on monophonic CM-9125, are now also on stereophonic CS-6173. B. H. Haggin

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Correspondence

School Children & the First Amendment

Sirs:

Your note (June 27) calling for a reversal of the *Everson* decision shows either a misunderstanding or a disregard of the fundamentals of American history. You are calling for an absolute division of all religion and civil authority, a completely negative and uncooperative attitude on the part of the federal government toward every religion. This is not the meaning of the first amendment.

The first amendment prohibits Congress from making any "law respecting an establishment of religion." And historically "an establishment of religion" has always meant government discrimination in favor of a single church or sect. It was this discrimination that was forbidden by the first amendment. The Founding Fathers did not outlaw support to religion given on a non-discriminatory basis. One clear evidence of this fact is seen in the early records of the Congress of the United States which show numerous payments to Protestant and Catholic missionaries for spreading education and religion among the Indians of the Western Territory.

Joseph Wynne
San Mateo, Calif.

Sirs:

Is your attitude on *Everson* quite consistent with the liberalism of a liberal journal which has always advocated the most elastic interpretation of our fundamental law? Or is this just an evidence of a cultural lag – an application of the doctrinaire, secularist liberalism of the 19th Century? . . .

But your editorial raises more important questions, questions not alone of law but of practical wisdom. A visitor to this land, were he to see groups of children on their way to school, might wonder why some were walking and some were riding in buses. He might conclude that those in the buses were physically handicapped, but upon being told this was not the case he would make further inquiries. The explanation would be given that the children on foot were walking because they were receiving religious instruction and those having the comfort of a ride were not. If he were amazed at this reply, as well he might be, he would find it still more difficult to understand what the separation of church and state had to do with it. He would surely be puzzled to figure out what the establishment of a religion had to do with it or why a non-religious education should merit the bonus of a bus ride while religious education carried a penalty.

It requires a bizarre and fantastic reading of the First Amendment to say that children who are fulfilling the obligations of the law in going to school, to schools approved and accredited by public authority, should make their own way as best they can to their school buildings simply because they are being taught to be better Lutherans, better Episcopalians, or better Catholics. This extra teaching surely does not cripple them as citizens. They study the same subjects as other children, they are taught the same standards of good citizenship. And where does this far-fetched interpretation of the Constitution stop? Will it be contended that the special fares now granted to all school children in most cities be discontinued on the ground that some transportation companies are owned by public authorities while others are subsidized in one form or another? One may well wonder whether the desire is to observe the First Amendment or to heap burdens on the private and parochial schools.

Has *The New Republic* become upper-crust? Since it would put a special financial burden on the parents who choose parochial education for their children, does it realize that it is hitting hardest the working-class population? Of course well-to-do and moderately-placed parents may not find the cost of special transportation too great – they will have their cars. What of the children of poor parents. Must they walk or be *compelled* in our free society to go to public schools?

Jerome G. Kerwin
University of Chicago

In reply:

1. Mr. Wynne believes that the First Amendment ban on laws "respecting an establishment of religion" (which Jefferson characterized as a "wall of separation between church and state") was not intended to "outlaw support to religion given on a non-discriminatory basis." But even the *Everson* majority is authority the other way: "Neither a state nor the Federal Government can set up a church. Neither can pass laws which aid one religion, *aid all religions*, or prefer one religion over another." (Emphasis added)

2. Professor Kerwin wonders whether our real purpose "is to observe the First Amendment or to heap burdens on the private and parochial schools." Our purpose is to maintain freedom – both to believe and not to believe – for all Americans. We think the indispensable corollary of this freedom is genuine separation of church and state, and included in this we mean what Jefferson and Madison meant when, in the Act for Establishing Religious Freedom, they wrote into the statutes of Virginia the principle that "to compel a man to furnish contributions of money for the propagation of opinions he disbelieves is sinful and tyrannical. . . ." Churches cost a great deal of money to build and maintain, but it would be "sinful and tyrannical" *and unconstitutional* to require the community at large to defray these costs. So too with church schools. The First Amendment does all it can and should by guaranteeing freedom of worship and religious instruction to those with faith enough to build their own altars, print their own bibles, and levy their own tithes. "It is possible," as Justice Jackson said, "to hold a faith with enough confidence to believe that what should be rendered to God does not need to be decided and collected by Caesar."

3. Professor Kerwin thinks "a visitor to this land" would "be puzzled to figure out . . . why a non-religious education should merit the bonus of a bus ride while religious education carried a penalty." The answer to the puzzlement is not that *The New Republic* has, in Professor Kerwin's words, "become upper-crust," or insensitive to the religious feelings of working-class people "who choose parochial education for their

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children," or unconcerned about the safety of these children. The answer lies, as Justice Rutledge explained, in the Constitution:

"... No more unjust or discriminatory in fact is it to deny attendants at religious schools the cost of their transportation than it is to deny them tuitions, sustenance for their teachers, or any other educational expense which others receive at public cost. Hardship in fact there is which none can blink. But, for assuring to those who undergo it the greater, the most comprehensive freedom, it is one written by design and firm intent into our basic law.

... That policy necessarily entails hardship upon persons who forego the right to educational advantages the state can supply in order to secure others it is precluded from giving. Indeed this may hamper the parent and the child forced by conscience to that choice. But it does not make the state unneutral to withhold what the Constitution forbids it to give."

Actually, we're not so sure that "a visitor to this land" would, as Professor Kerwin believes, "find it ... difficult to understand what the separation of church and state had to do with it." As much as a century ago, at least one distinguished visitor, De Tocqueville, seemed to apprehend the underlying principles pretty well:

"On my arrival in the United States the religious aspect of the country was the first thing that struck my attention; and the longer I stayed there, the more I perceived the great political consequences resulting from this new state of things. In France I had almost always seen the spirit of religion and the spirit of freedom marching in opposite directions. But in America I found they were intimately united and that they reigned in common over the same country. My desire to discover the causes of this phenomenon increased from day to day. In order to satisfy it I questioned the members of all the different sects; I sought especially the society of the clergy, who are the depositaries of the different creeds and are especially interested in their duration. As a member of the Roman Catholic Church, I was more particularly brought into contact with several of its priests, with whom I become intimately acquainted. To each of these men I expressed my astonishment and explained my doubts. I found that they differed upon matters of detail alone, and that they all attributed the peaceful dominion of religion in their country mainly to the separation of church and state. I do not hesitate to affirm that during my stay in America I did not meet a single individual, of the clergy or the laity, who was not of the same opinion on this point." THE EDITORS

That Old Red Magic

Sirs:

In your June 27 editorial, "That Old Red Magic," you account for Japanese manifestations against granting the US a 10-year lease on land, sea and air bases by suggesting that the Japanese "are victims of a cultural lag." A much less esoteric and more relevant reason for this feeling exists in the fact that no people enjoys the sight of foreign troops in occupation of its land.

In his current book *America Challenged*, Mr. Justice Douglas adverts to "colonies of foreigners of one nationality, so harmful to public relations." What is true of colonies of civilians is trebly true of foreign troops, as any one recently in Japan could testify.

Furthermore, such feelings as have given rise to the Japanese mobs are mounting in a number of the countries where we maintain bases. It is time, with reference to all our foreign bases, that their value be impartially appraised as to which are arousing more antipathy than the
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